

# State Representative Clyde Kersey

Helping Hoosier Families

113th Indiana General Assembly, Spring 2004

## Session Report



Property  
Tax Relief



Protecting  
Children



Job  
Creation





## 113th General Assembly Ends

Dear Friends,

The 2004 short session of the Indiana General Assembly has ended. I have detailed several important pieces of legislation in this newsletter, including property tax relief, children's safety issues and job creation.

I hope you find this information useful, and I will keep you updated over the next few months on other legislation that should have a positive impact on you and your family. Please contact me if you have any questions or concerns about state government.

Sincerely,

*Clyde Kersay*



# Property Tax Relief

When the Indiana General Assembly restructured our state's tax code in 2002, one goal from that effort was to give homeowners relief from the court-ordered reassessment. As the first series of assessments was completed, it became apparent that homeowners were facing an increasingly larger share of the burden passed to them by Indiana's courts.

Because of their concerns, House members led an effort to begin the 2004 session ahead of time. Starting in November, legislators began discussions on additional reforms that resulted in passage of Senate Enrolled Act 1, which contains nearly **\$500 million in protection for homeowners, businesses and farms from property tax increases**. It provides additional protections from both the court-ordered reassessment and unchecked local property tax increases.

When lawmakers returned in



January, our efforts resumed to give tax relief to the people who needed it the most. We were able to pass another measure (Senate Enrolled Act 296) that increases **property tax deductions for seniors on lower incomes, World War I veterans, the blind and disabled**, as well as those who are rehabilitating homes.

House Enrolled Act 1005 takes additional steps to find other means of financing government services. One study committee will explore alternatives to the property tax, while another will examine the efficiency of local government operations.

This measure also sets up the groundwork for keeping property taxpayers better informed. A pilot program getting under way in 2005 will provide taxpayers in certain counties with detailed breakdowns on their **tax statements that will show where their tax dollars are being used**. Additionally, people who are financing or refinancing a home will be given information on the types of tax deductions available.

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## Additional Bills Passed

There were several other significant pieces of legislation passed by the General Assembly. House Bill 1029 will allow a custodial parent to bring a court action to **recover delinquent child support payments** by intercepting the state income tax return of the parent responsible for the obligation.

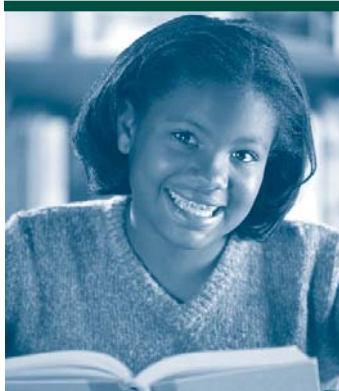
House Bill 1229, called The Indiana Homeowner Protection Act, places **tougher restrictions on the practice called predatory lending**. Homeowners will be protected from overpriced loans with unreasonable terms that often are impossible to pay back, placing people at risk of losing their homes through foreclosure.

House Bill 1449 will help **restore the constitutionality of Indiana's curfew law** by including provisions that protect minors who are exercising First Amendment rights.

House Bill 1178 will allow courts to create a program **permitting volunteers to become advocates for seniors**. Probate courts will be allowed to appoint trained and supervised volunteers to serve as guardians for a limited time to incapacitated or protected elderly who are at-risk inpatients in health care facilities in Indiana.



# Helping Hoosier Families



## Protecting Children

### Legislators Address Safety Issues

**D**uring the 2004 session, several bills were passed to help the safety of children. Legislators passed bills to protect children from abuse and neglect, and keep them safe in automobiles.

• **House Bill 1194** will provide tools to protect children from abuse or neglect. Criminal history checks will be required for each person who resides in a home in which a child is to be placed before the child is placed there. Child Protective Services (CPS) reports may now conclude if abuse or neglect is "indicated," as well as "substantiated" or "unsubstantiated." There will be an additional public disclosure in cases where a child dies as a result of abuse or neglect. A statewide group will be created under the bill to investigate the sudden and/or unexpected deaths of children.

• **House Bill 1245** will levy tougher penalties against people who neglect a child who ends up dying as a result of the crime. The bill will increase the penalty for neglect of a dependent to a

Class A felony if the neglect results in the death of a child. Penalties will be increased for contributing to the delinquency of a minor if a person 21 years or older provides alcohol or a controlled substance to a minor, and the consumption of that alcohol or drug is determined to cause a death of any person.

• **Senate Bill 194** will provide added protections for all children in a home where abuses have taken place.

• **House Bill 1098** will require anyone who operates a motor vehicle with a passenger who is less than 8 years of age to place the child in a restraint system. Passengers between 8 and 16 years old will be required to wear a seat belt. Studies have indicated that child restraint systems can help prevent injuries caused when children do not properly fit in a safety belt.

In addition, the bill will create a Child Restraints System Account that will make grants to private and public organizations to purchase and distribute child restraint systems such as booster seats at minimal or no charge.

## Assembly Works to Fight Drug, Alcohol Abuse

Lawmakers spent time this session trying to come up with real solutions to the problems brought on by the abuse of drugs and alcohol throughout Indiana. Among the most prominent concerns was the new wave of production and use of methamphetamine sweeping through the state. Criminals favor this drug because of its low cost, simple manufacture and easy accessibility. Another major problem the legislators resolved to face was the occurrence of drunk driving on Hoosier roadways.

• **House Bill 1136** creates a task force to combat the production, distribution and use of methamphetamine in Indiana. The task force will suggest specific actions to lessen the demand and decrease the supply of meth, improve the enforcement of meth laws, and evaluate the success of programs in other states to make recommendations for improving local, state and federal laws regarding meth in Indiana.

• **House Bill 1264** is aimed at keeping drunk drivers off the road. It requires an ignition interlock system, which works by screening a driver's breath in order to start the vehicle, be installed in a repeat offender's vehicle. The system will detect if a driver attempts to start the vehicle by circumventing the breath test. The system will lock the auto down for a predetermined period of time.

• **House Bill 1394** charges anyone 21 years of age or older with a Class B felony for causing the death of another person while operating a vehicle under the influence of drugs or alcohol. In addition, anyone who operates a vehicle under the influence, and with at least one passenger under the age of 18, will be charged with a Class D felony. Anyone with two convictions of causing death while intoxicated and operating a vehicle will have their license suspended for life.

# Helping Hoosier Families

## Creating Hoosier Jobs

**P**rotecting and creating Hoosier jobs and businesses were among the issues of most concern in the 2004 General Assembly. Three bills and a resolution were passed that will aid in the retention and creation of jobs as well as encourage business development and corporate responsibility.

House Resolution 47 calls on the president and Congress to address a growing trade imbalance that has resulted in the loss of more than 2 million manufacturing jobs in the U.S. since 2001. It asks that **trade agreements require that corporations pay fair and competitive wages**, respect the rights of workers to unionize, and adopt workplace safety and anti-pollution standards equal to those in our country. The resolution also encourages the federal government to **provide economic incentives to sectors that have seen record job losses** due to NAFTA, and address the adverse effects on trade caused by countries that artificially lower the value of their currency relative to the dollar.

**House Bill 1080  
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House Bill 1080 will help **stimulate Indiana's economy** by providing a price preference to Indiana businesses for public works and procurement contracts. This piece of legislation will focus on Indiana companies first as suppliers for goods and services the state is interested in purchasing.

House Bill 1434 **will benefit low-income businesses by fostering economic development opportunities** by providing grants for training and technical assistance. The microenterprise partnership program created under the bill will provide assistance to businesses with fewer than five employees.

House Bill 1365 will make the state's research and development tax credit permanent, extend the life of the Hoosier Business Investment Tax Credit and create a new fund to encourage investment in new technology. It also calls for a study of **eliminating corporate tax loopholes in current Indiana law** that cause tax increases on Hoosier homeowners and businesses.



Representative Clyde Kersey (right) recites the Pledge of Allegiance prior to roll call in the chamber of the House of Representatives.

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